REMARKS

Claims 11 to 20 are pending in the present application. Claim 11 has been amended. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

Claims 11 to 20 were objected to for certain informalities with respect to "the additional module" recited in claim 11. In response, claim 11 has been rewritten to clarify the claimed subject matter, which amendment is believed to be self-explanatory. It is therefore respectfully requested that the objection to claims 11 to 20 be withdrawn.

Claims 11 to 13 and 17 to 20 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 5,513,878 ("Ueda"). Applicants respectfully submit that Ueda does not anticipate the present claims for the following reasons.

Claim 11, as amended, relates to a protective device for a vehicle, which includes a switch to deactivate the protective device, a processor, and an additional module having at least one logic module. Claim 11 further recites that a switch position is verifiable by the processor and by the additional module independently from one another.

Ueda refers to an electronic system for activating a vehicle rider protection system, which includes three independent processing circuits for processing an acceleration signal to determine whether a collision has taken place or not. See FIG. 2. The three independent circuits are generated by a digital signal processor 2A and two analog signal processing circuits 4 and 5. The output signals of the digital signal processor 2A and analog processing circuit 4 are fed into an "OR" gate 6, which means that if either the digital signal processor 2A or the analog processing circuit 4 generates a collision signal, the output of the "OR" gate 6 will also indicate a collision signal. The output signal Sc of the "OR" gate 6 and the output Sd of the analog processing circuit 5 are fed into an "AND" gate 7, which means that if both Sc and Sd indicate a collision signal, then the output signal Se of the "AND" gate 7 will also indicate a collision signal. If the output signal Se is a collision signal then the transistor 71 is made conductive, which activates the ignition element 8 provided that the

ignition switch 10 and the mechanical acceleration switch 9 are closed. A diagnostic circuit 2c is provided for checking the analog processing circuits 4 and 5.

Accordingly, Ueda does not identically disclose, or even suggest, <u>a switch to deactivate a protective device, in which a switch position is verifiable by a processor and by an additional module having at least one logic module, independently from one another</u>, as recited in claim 11. For example, unlike the presently claimed subject matter, the switch 10 referred to by Ueda is not verifiable by a processor and by an additional module. Indeed, Ueda does not disclose, or suggest, a checking or verification of the switch 10. Moreover, transistor 71 is not a switch to deactivate the protective device since the transistor 71 is made conductive if a collision occurs. That is, the transistor 71 cannot, and should not, be used to deactivate the protective device since its activation is used to indicate the occurrence a collision. Additionally, Ueda makes no reference to an arrangement for verifying the transistor 71.

Accordingly, for at least these reasons, it is respectfully submitted that Ueda does not anticipate claim 11. With respect to claims 12, 13 and 17 to 20, which ultimately depend from claim 11 and therefore include all of the limitations of claim 11, it is respectfully submitted that Udea does not anticipate these dependent claims for at least the same reasons given above in support of the patentability of claim 11. Withdrawal of this rejection is therefore respectfully requested.

With respect to the rejection of claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of U.S. Patent Application Publication No. 2004/0045760 ("Baumgartner"), it is respectfully submitted that even if it were proper to combine the references as suggested by the Examiner (which is not conceded), the secondary Baumgartner reference does not cure the critical deficiencies of the Ueda reference (as explained above) with respect to claim 11, from which claim 14 ultimately depends. Indeed, the Office Action merely uses Baumgartner to assert disclosure of a time response modification. Accordingly, claim 14 is patentable for the above reasons and the reasons given in support of the patentability of parent claim 11.

With respect to the rejection of claims 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of U.S. Patent No. 5,570,903 ("Meister"), it is respectfully submitted that even if it were proper to combine the references as suggested by the Examiner (which is not conceded), the secondary Meister reference does not cure the critical deficiencies of the Ueda reference (as explained above) with respect to claim 11, from which claims 15 and 16 depend. Indeed, the Office Action merely uses Meister to assert

disclosure of a resistor network and a Hall-effect sensor. Accordingly, claims 15 and 16 are patentable for the above reasons and the reasons given in support of the patentability of parent claim 11.

Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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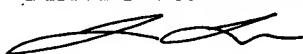
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